

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE GENETICALLY MODIFIED)
RICE LITIGATION) Case No. 4:06MD1811 CDP
) ALL CASES

MEMORANDUM AND ORDER

This matter is before me on the motion for reconsideration and clarification, motion to intervene, and motion for amicus curiae filed by pro se prisoner Jonathan Lee Riches. The motion also says it is brought by pro se litigants Marc Champion and Matthew Goldberg, but only Riches signed it, and of course, he cannot represent the others. Even if this motion were brought by all three, however, my ruling here would be the same.

Riches seeks leave to intervene under Federal Rule of Civil Procedure 24(a)(2) as of right, and also seeks permissive intervention under Rule 24(b).¹ Riches claims that he, Champion, and Goldberg have information pertaining to the

¹Rule 24 states in relevant part:


(a) On timely motion, the court must permit anyone to intervene who . . . (2) claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest.

(b)(1) On timely motion, the court may permit anyone to intervene who: (A) is given a conditional right to intervene by a federal statute; or (b) has a claim or defense that shares with the main action a common question of law or fact.

case.² This is insufficient under Rule 24 to mandate intervention. Riches has not cited to a federal statute giving him an unconditional right to intervene, nor has he shown an interest in the action that is not adequately represented by the named parties. Further, the movant has not provided a sufficient basis for permissive intervention under Rule 24(b). For these reasons, the motion to intervene will be denied.

Riches also titles his motion as one for reconsideration, however, he provides no additional argument in support of this motion. Riches, Champion and Goldberg are not parties to this action, and therefore no prior order in this case is applicable to them. Riches' request to file an amicus brief with the Court will also be denied. Accordingly,

IT IS HEREBY ORDERED that the motion [#941] for reconsideration, clarification, and to intervene and file an amicus brief is **DENIED**.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 19th day of November, 2008.

²Riches is a pro se litigant who has a history of filing frivolous lawsuits and motions in this district and in other courts across the country. See Wikipedia, Jonathan Lee Riches, http://en.wikipedia.org/wiki/Jonathan_Lee_Riches (last visited Nov. 19, 2008).